

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): HUNT & HENRIQUES, Attorneys at Law Michael S. Hunt, ESQ. #99804 Janalie Henriques, ESQ. #111589 151 Bernal Rd. STE 8, San Jose, CA 95119-1306 TELEPHONE NO: (408) 362-2270 FAX NO. (OPTIONAL): (408) 362-2299 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFF	FOR COURT USE ONLY FILED NORTH COUNTY DIVISION 2014 APR 14 AM 9:33 CLERK SUPERIOR COURT SAN DIEGO COUNTY, CA
SUPERIOR OF CALIFORNIA, COUNTY OF San Diego COURT 325 South Melrose Drive STREET ADDRESS: MAILING ADDRESS: Vista CA 92081 CITY AND ZIP CODE: North County Division BRANCH NAME:	
PLAINTIFF: PORTFOLIO RECOVERY ASSOCIATES, LLC DEFENDANT: SHARON I MUNSON [] DOES 1 TO _____	
CONTRACT [X] COMPLAINT [] AMENDED COMPLAINT (Number): [] CROSS-COMPLAINT [] AMENDED CROSS-COMPLAINT (Number):	
Jurisdiction (check all that apply): [X] ACTION IS A LIMITED CIVIL CASE \$9,530.78 Amount demanded [X] does not exceed \$10,000 [] exceeds \$10,000, but does not exceed \$25,000 [] ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) [] ACTION IS RECLASSIFIED by this amended complaint or cross-complaint [] from limited to unlimited [] from unlimited to limited	CASE NUMBER: 37-2014-00011536-CL-CL-NC

1. PLAINTIFF* (names): PORTFOLIO RECOVERY ASSOCIATES, LLC

alleges causes of action against DEFENDANT* (names):

SHARON I MUNSON

2. This pleading, including attachments and exhibits, consists of the following number of pages: 4

3. a. Each plaintiff named above is a competent adult

- [X] **except** plaintiff (name): PORTFOLIO RECOVERY ASSOCIATES, LLC
 [] a corporation qualified to do business in California
 [] an unincorporated entity (describe):
 [X] other (specify): A Limited Liability Company

b. [] Plaintiff (name):

[] has complied with the fictitious business name laws and is doing business under the fictitious name of (specify):

[] has complied with all licensing requirements as a licensed (specify):

c. [] Information about additional plaintiffs who are not competent adults is shown in Complaint - Attachment 3c.

4. a. Each defendant named above is a natural person

[] **except** defendant (name):

- [] a business organization, form unknown
 [] a corporation
 [] an unincorporated entity (describe):

[] a public entity (describe):

[] other (specify):

[] **except** defendant (name):

- [] a business organization, form unknown
 [] a corporation
 [] an unincorporated entity (describe):

[] a public entity (describe):

[] other (specify):

*If this form is used as a cross-complaint, plaintiff means cross-complainant and defendant means cross-defendant.

Page 1 of 2



SHORT TITLE: PORTFOLIO RECOVERY ASSOCIATES, LLC V. SHARON I MUNSON	CASE NUMBER:
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4. (Continued)

b. The true names and capacities of defendants sued as Does are unknown to plaintiff.

(1) ☐ Doe defendants (specify Doe numbers): _____ were the agents or employees of the named defendants and acted within the scope of that agency or employment.(2) ☐ Doe defendants (specify Doe numbers): _____ are persons whose capacities are unknown to plaintiff.c. ☐ Information about additional defendants who are not natural persons is contained in Complaint - Attachment 4c.d. ☐ Defendants who are joined pursuant to Code of Civil Procedure section 382 are (names):5. ☐ Plaintiff is required to comply with a claims statute, anda. ☐ plaintiff has complied with applicable claims statutes, orb. ☐ plaintiff is excused from complying because (specify):6. ☐ This action is subject to ☐ Civil Code section 1812.10 ☐ Civil Code section 2984.4.

7. This court is the proper court because

a. ☐ a defendant entered into the contract here.b. ☐ a defendant lived here when the contract was entered into.c. ☒ a defendant lives here now.d. ☐ the contract was to be performed here.e. ☐ a defendant is a corporation or unincorporated association and its principal place of business is here.f. ☐ real property that is the subject of this action is located here.g. ☐ other (specify):

8. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

☐ Breach of Contract☒ Common Counts☐ Other (specify):9. ☐ Other:

10. PLAINTIFF PRAYS for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

a. ☒ damages of \$ \$9,530.78b. ☒ interest on the damages(1) ☐ according to proof(2) ☒ at the rate of 0.0000 percent per year from (date): April 30, 2013c. ☐ attorney fees(1) ☐ of \$ _____(2) ☐ according to proof.d. ☐ other (specify):11. ☒ The following paragraphs of this pleading are alleged on information and belief (specify paragraph numbers):

CC-1a(1), CC-1a(2), CC-1b(1), CC-1b(3), CC-1b(4), CC-1b(5)

Date: March 28, 2014

MICHAEL S. HUNT #99804 OR

JANALIE HENRIQUES #111589

Anthony DiPiero #268246

(TYPE OR PRINT NAME)

/S/ Janalie Henriques

/S/ Anthony DiPiero #268246

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

(If you wish to verify this pleading, affix a verification.)

SHORT TITLE:
PORTFOLIO RECOVERY ASSOCIATES, LLC v.
SHARON I MUNSON

CASE NUMBER:

FIRST

(number)

CAUSE OF ACTION - Common Counts

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

CC-1. Plaintiff (name):

PORTFOLIO RECOVERY ASSOCIATES, LLC

alleges that defendant (name):

SHARON I MUNSON

became indebted to ☐ plaintiff ☒ other (name): FIA CARD SERVICES, N.A. OR A PREDECESSOR IN INTEREST

a. ☒ within the last four years

(1) ☒ on an open book account for money due.

(2) ☒ because an account was stated in writing by and between plaintiff and defendant in which it was agreed that defendant was indebted to plaintiff.

b. ☒ within the last ☐ two years ☒ four years

(1) ☒ for money had and received by defendant for the use and benefit of plaintiff. for work, labor,

(2) ☐ services and materials rendered at the special instance and request of defendant and for which defendant promised to pay plaintiff

☐ the sum of \$

☐ the reasonable value.

(3) ☒ for goods, wares, and merchandise sold and delivered to defendant and for which defendant promised to pay plaintiff

☒ the sum of \$ \$9,530.78

☐ the reasonable value.

(4) ☒ for money lent by plaintiff to defendant at defendant's request.

(5) ☒ for money paid, laid out, and expended to or for defendant at defendant's special instance and request.

(6) ☐ other (specify):

CC-2. \$ \$9,530.78, which is the reasonable value, is due and unpaid despite plaintiff's demand, plus prejudgment interest ☐ according to proof ☒ at the rate of 0.0000 percent per year from (date): April 30, 2013

CC-3. ☐ Plaintiff is entitled to attorney fees by an agreement or a statute
☐ of \$
☐ according to proof.

CC-4. ☒ Other:

PLAINTIFF PURCHASED THE ACCOUNT FROM THE ORIGINAL CREDITOR OR ITS SUCCESSOR(S) IN INTEREST. PLAINTIFF IS THE CURRENT OWNER OF THE ACCOUNT.

Page 3

Page 1 of 1

FILED
NORTH COUNTY DIVISION
2014 APR 14 AM 9:33

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego
Vista JUDICIAL DISTRICT

STATEMENT OF LOCATION/VENUE

CLERK SUPERIOR COURT
SAN DIEGO COUNTY, CA

CASE NAME: PORTFOLIO RECOVERY ASSOCIATES, LLC
V. SHARON I MUNSON

CASE NUMBER: 37-2014-00011536-CL-CL-NC

Please check ONE of the following statements to indicate the basis for your filing of the complaint in this Judicial District and fill in the address.

- ____ 1. Cause of Action arose in this Judicial District. Address of the cause of action is:
- | Street | City | Zip Code |
|--------|------|----------|
| | | |
- ____ 2. Property located in this judicial district. The address of this property is:
- | Street | City | Zip Code |
|--------|------|----------|
| | | |
- ____ 3. Tort occurred in this judicial district. The address of the tort is:
- | Street (if known)
(or nearest major intersection) | City | Zip Code |
|--|------|----------|
| | | |
- ____ 4. Contract entered into or to be performed in this judicial district. The address where contract entered into or to be performed is:
- | Street (if known) | City | Zip Code |
|-------------------|------|----------|
| | | |
- XXX 5. Defendant resides in this judicial district. The address of the defendant is:
6433 TOPMAST DR CARLSBAD CA 92011
- | Street | City | Zip Code |
|--------|------|----------|
| | | |

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: March 28, 2014

/S/ Janalie Henriques
/S/ Anthony DiPiero #268246
Signature of Plaintiff's Attorney
HUNT & HENRIQUES